

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	LUSSIER et al.	Examiner:	Christina Bradley
Serial No.:	10/576,439	Group Art Unit:	1654
Filed:	January 5, 2007	Docket No.:	09555.0151USWO
Due Date:	N/A	Confirmation No.:	4659
Title:	USE OF GROWTH HORMONE RELEASING FACTOR ANALOGS IN TREATING PATIENTS SUFFERING FROM WASTING		

This paper is being filed electronically with the U.S. Patent Office

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(c))

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. At least some of the references were recently cited in a Supplementary European Search Report mailed March 19, 2010. Enclosed for the Examiner's information is a copy of the Supplementary European Search Report. Applicant notes reference US 6,458,764 listed in the Search Report was previously cited to and by the Examiner, and the US patent publications (US 2009/0011985, US 2009/0253623, and US 2009/0088383) corresponding to WO 2004/105789 A1 were also cited by the Examiner in the Office Action dated February 4, 2010.

This statement should be considered because it is submitted after the mailing date of a first Office Action on-the-merits or a first Office Action after filing a Request for Continued Examination under 37 C.F.R. § 1.114 or a CPA under 37 C.F.R. § 1.53(d), but before the mailing date of: i) a final action under 37 C.F.R. § 1.113; ii) a Notice of Allowance under 37 C.F.R. § 1.311; or iii) an action that otherwise closes prosecution on the application. Payment in the amount of \$180.00 under 37 C.F.R. § 1.17(p) is being submitted via credit card for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. §1.98(a)(2), a copy of each foreign patent and/or a copy of each publication, other than U.S. patents and U.S. patent application publications, listed on the accompanying Form 1449 is enclosed.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

By 

Eric E. DeMaster
Reg. No. 55,107

Dated: October 8, 2010

EED/mmm

23552
PATENT TRADEMARK OFFICE